

### **Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application.

### **Listing of Claims:**

1. (Cancelled) A bone cutting instrument comprising:
  - a proximal end and a distal end spaced apart along a longitudinal axis of the instrument;
  - first and second cutting edges at the distal end, the first and second cutting edges being diametrically opposed; and
  - third and fourth cutting edges at the distal end, the third and fourth cutting edges being diametrically opposed and adjacent the first and second cutting edges; wherein the first, second, third, and fourth cutting edges define an interior void, and the first and second cutting edges extend distally beyond the third and fourth cutting edge.
2. (Cancelled) The bone cutting instrument according to claim 1 wherein the first and second cutting edges are radiused.
3. (Cancelled) The bone cutting instrument according to claim 1 wherein a relationship of the first, second, third, and fourth cutting edges defines a parallelogram.
4. (Cancelled) The bone cutting instrument according to claim 1 further comprising a shaft disposed between the proximal and distal ends, the shaft comprising an elongated opening at the proximal end, substantially perpendicular to the longitudinal axis.
5. (Cancelled) The bone cutting instrument according to claim 4 further comprising a hollow bore extending from the proximal end to the distal end.
6. (Cancelled) A rasp adapted to define a recess between first and second bone surfaces for receiving an implant, said rasp comprising:

- a shaft having a proximal end and a distal end spaced apart along a longitudinal axis of the shaft; and
  - a rasp head at the distal end of the shaft, the rasp head having an arcuate distal surface and first and second transverse surfaces adjacent the distal surface and substantially perpendicular to the longitudinal axis, wherein at least one transverse face is roughened.
7. (Cancelled) The rasp of claim 6 wherein the first and second transverse faces are parallel.
  8. (Cancelled) The rasp of claim 6 wherein the rasp head is "C" shaped.
  9. (Cancelled) The rasp of claim 6 further comprising indicator markings on the shaft to determine the depth of the recess.
  10. (Cancelled) The rasp of claim 6 further comprising an opening for receiving a portion of an alignment pin through the proximal end and substantially perpendicular to the longitudinal axis of the shaft.
  11. (Cancelled) The rasp of claim 6 wherein the dimensions of the rasp head are proportional to the dimensions of the implant for insertion between the bone surfaces.
  12. (Cancelled) A kit for preparing a channel between adjacent first and second bone surfaces comprising:
    - (a) a bone cutting instrument comprising:
      - (i) a shaft with proximal and distal ends spaced apart along a longitudinal axis of the shaft, the shaft comprising an elongated opening at the proximal end, substantially perpendicular to the longitudinal axis, the shaft further comprising a hollow bore extending from the proximal end to the distal end;
      - (ii) first and second cutting edges at the distal end, the first and second cutting edges being diametrically opposed;

(iii) third and fourth cutting edges at the distal end, the third and fourth cutting edges being diametrically opposed and adjacent the first and second cutting edges; wherein the first, second, third, and fourth cutting edges define an interior void, and the first and second cutting edges extend distally beyond the third and fourth cutting edge; and

(b) a rasp adapted to define a recess between first and second bone surfaces for receiving an implant, said rasp comprising:

- (i) a shaft having a proximal end and a distal end spaced apart along a longitudinal axis of the shaft;
- (ii) a rasp head at the distal end of the shaft, the rasp head having an arcuate distal surface and first and second transverse surfaces adjacent the distal surface and substantially perpendicular to the longitudinal axis, wherein at least one transverse face is roughened; and
- (iii) an opening for receiving a portion of an alignment pin through the proximal end and substantially perpendicular to the longitudinal axis of the shaft; wherein the rasp is slidably received into the hollow bore of the bone cutting instrument.

- 13. (Cancelled) The kit according to claim 12 wherein the rasp head fits over the distal end of the bone cutting instrument, and the height of the bone cutting instrument at the distal end is greater than the distal height of the rasp head such that at least a portion of the first and second cutting edges extends distally above and below the rasp head.
- 14. (Cancelled) The kit according to claim 12 further comprising a distractor.
- 15. (Cancelled) The kit according to claim 12 further comprising an implant inserting tool comprising:
  - a handle;
  - a shaft having a proximal end and a distal end, the proximal end releasably coupled to the handle;
  - a pair of arms integrally formed on the distal end of the shaft, each of the arms movable between a spaced apart implant holding position and a compressed

- implant releasing position, wherein distal portions of the arms are shaped to fit inside an implant; and
- a hollow sleeve slidably mounted on the shaft, the sleeve slidable from a first proximal position to a second distal position along the shaft, the sleeve forcing the arms together to release the implant when the sleeve is in the distal position.
16. (Cancelled) The kit according to claim 12 further comprising a slap hammer.
17. (Cancelled) A method for preparing a channel between adjacent first and second bone surfaces, wherein the first and second bone surfaces are separated by a space, the method comprising:
- (a) inserting at least one distractor between the adjacent first and second bone surfaces to space the bone surfaces apart a predetermined distance, the distractor providing an exposure window;
  - (b) passing a rasp through the exposure window and into the space between the first and second bones;
  - (c) passing a hollow bone cutting instrument through the exposure window and over the rasp to cut a channel between the first and second bone surfaces; and
  - (d) aligning the rasp and bone cutting instrument.
18. (Cancelled) The method according to claim 17 wherein the adjacent first and second bone surfaces are vertebrae.
19. (Cancelled) The method according to claim 18 wherein the channel is prepared between adjacent vertebrae to receive a first fusion implant.
20. (Cancelled) The method according to claim 19 wherein the fusion implant comprises bone.
21. (Cancelled) The method according to claim 18 wherein the channel is prepared between the first and second vertebrae through an anterior approach.

22. (Cancelled) The method according to claim 17 further comprising removing the rasp and bone cutting instrument, inserting an implant, repeating steps (a) through (d) at an additional site, and inserting an additional implant.
23. (Cancelled) The method of claim 22 wherein the implants are inserted using an implant insertion tool comprising:
- a handle;
  - a shaft having a proximal end and a distal end, the proximal end releasably coupled to the handle;
  - a pair of arms integrally formed on the distal end of the shaft, each of the arms movable between a spaced apart implant holding position and a compressed implant releasing position, wherein distal portions of the arms are shaped to fit inside an implant; and
  - a hollow sleeve slidably mounted on the shaft, the sleeve slidable from a first proximal position to a second distal position along the shaft, the sleeve forcing the arms together to release the implant when the sleeve is in the distal position.
24. (Cancelled) An implant inserting tool comprising:
- a handle;
  - a shaft having a proximal end and a distal end, the proximal end releasably coupled to the handle;
  - a pair of arms integrally formed on the distal end of the shaft, each of the arms movable between a spaced apart implant holding position and a compressed implant releasing position, wherein distal portions of the arms are shaped to fit inside an implant; and
  - a hollow sleeve slidably mounted on the shaft, the sleeve slidable from a first proximal position to a second distal position along the shaft, the sleeve forcing the arms together to release the implant when the sleeve is in the distal position.

25. (Cancelled) The method of claim 44 wherein the sleeve is internally threaded to match external threading on the shaft, and the sleeve is rotated distally on the shaft.
26. (Cancelled) A method for preparing a channel between opposing bone surfaces, the method comprising a step of :
- selecting a channeling device, the device comprising:
    - a. a proximal end and a distal end spaced apart along a longitudinal axis of the device;
    - b. a pair of diametrically opposed paddles fixed in a spaced apart relationship and having a cutting edge between said diametrically opposed paddles, the diametrically opposed paddles extending distally beyond the cutting edge;
  - advancing the diametrically opposed paddles between the opposing bone surfaces to distract the bone surfaces to a desired distance apart; and
  - continuing advancing the paddles between the opposing bone surfaces until the cutting edge cuts a notch in the opposing bone surfaces, the notches in the opposing bone surfaces forming a first channel.
27. (Cancelled) The method according to claim 26 wherein the opposing bone surfaces are opposing end plates of first and second vertebrae.
28. (Cancelled) The method according to claim 26 wherein the channel is formed to receive a first fusion implant.
29. (Cancelled) The method according to claim 28 wherein the fusion implant is bone.
30. (Cancelled) The method according to claim 27 wherein the channel is prepared between the first and second vertebrae through an anterior approach.
31. (Cancelled) The method according to claim 26 wherein the cutting edge is radiused.

32. (Cancelled) The method according to claim 31 wherein after the channel is formed the channel is tapped.
33. (Cancelled) A kit for fusing an intervertebral disc space between a first and second vertebrae, kit comprising:
- (a) an implant body comprising a support component having a “C” shape comprising a first arm continuous with a second arm and having a gap therebetween, and a growth component receivable within the gap; and
  - (b) an implant insertion tool, wherein the insertion tool comprises
    - (i) a shaft having a proximal end and a distal end;
    - (ii) a pair of arms integrally formed with the distal end of the shaft, each of the arms movable between a spaced apart holding position and releasing position, wherein distal ends of the arms are shaped to fit inside an implant;
    - (iii) a sleeve operable on the arms to force the arms together towards the releasing position, the sleeve comprising a hollow sleeve slidably mountable on the shaft, the sleeve slidable from a first position adjacent the handle to a second engaging position located between the first position and the distal ends of the arms, the sleeve forcing the arms together to release the implant when the sleeve is in the engaging position.
34. (Cancelled) The kit of claim 33 further comprising:
- (c) a bone chisel comprising a proximal end and a distal end spaced apart along a longitudinal axis of the instrument, at least one cutting edge surrounding the distal end, and a track extending from the distal end to the proximal end of the chisel, the distal end of the chisel having a height at the cutting edge; and
  - (d) a rasp that can be slidably inserted into the bone chisel, the rasp comprising a proximal end and a distal end spaced apart along a longitudinal axis of the rasp; a rasp head at the distal end, the rasp head having a distal height, the distal height being less than the height of the chisel at the distal end, an arcuate distal face and first and second transverse faces adjacent the distal face, wherein at least one

transverse face comprises teeth; wherein the rasp head fits over the distal end of the bone chisel, and the height of the chisel at the distal end is greater than the distal height of the rasp head such that at least a portion of the cutting edge extends distally above and below the rasp head.

35. (Cancelled) The kit of claim 33 wherein the height of the distal portion of the arms of the insertion tool is greater than the height of the implant such that the distal portion of the arms forms a stop to allow proper depth placement of the implant.
36. (New) A kit for preparing an implant region between adjacent first and second bone surfaces comprising:
  - a rasp including a rasp head and a handle; and
  - a chisel that slides over the handle of the rasp.
37. (New) The kit of claim 36, wherein the chisel includes a hollow shaft that receives the handle of the rasp.
38. (New) The kit of claim 37, wherein the shaft defines an alignment slot, and the kit further includes an alignment pin that extends through the alignment slot and engages the handle of the rasp to maintain rotational alignment between the rasp and the chisel.
39. (New) The kit of claim 36, wherein the chisel includes spaced-apart first and second cutting edges adapted to slide over opposite first and second sides of the rasp head.
40. (New) The kit of claim 39, wherein the first and second sides of the rasp head include rasping structures.